

STEVEN L. DERBY, Esq. (SBN 148372)  
CELIA MCGUINNESS, Esq. (SBN 159420)  
ANTHONY GOLDSMITH, Esq (SBN 125621)  
DERBY, MCGUINNESS & GOLDSMITH, LLP  
300 Lakeside Drive, Suite 1000  
Oakland, CA 94612  
Telephone: (510) 987-8778  
Facsimile: (510) 359-4419  
info@dmglawfirm.com

Attorneys for Plaintiffs  
SUSAN JEFFRIES AND GEORGE FITZGERALD

BARBARA J. PARKER, City Attorney – SBN 069722  
MARIA BEE, Chief Assistant City Attorney – SBN 167716  
DAVID A. PEREDA, Special Counsel – SBN 237982  
CHRISTINA LUM, Deputy City Attorney – SBN 278234  
One Frank H. Ogawa Plaza, 6th Floor  
Oakland, California 94612  
Telephone: (510) 238-4483, Fax: (510) 238-6500  
Email: [clum@oaklandcityattorney.org](mailto:clum@oaklandcityattorney.org)

Attorneys for Defendant  
CITY OF OAKLAND

**IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SUSAN JEFFRIES and GEORGE  
FITZGERALD,

Plaintiffs,

v.

CITY OF OAKLAND and DOES 1  
through 20, Inclusive,

Defendants.

CASE NO. 3:18-cv-04498-KAW

Civil Rights

**STIPULATION TO DISMISS ALL  
CLAIMS AGAINST DEFENDANT WITH  
PREJUDICE**

**~~PROPOSED~~ ORDER**

**STIPULATION**

The parties acting through counsel, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) hereby stipulate, in consideration of a negotiated settlement executed by them, to the Dismissal With Prejudice of the Complaint

1 filed by Plaintiffs Susan Jeffries and the City of Oakland, Does 1-20, with each  
2 party to bear its own attorney's fees and costs subject to the order continuing  
3 jurisdiction to enforce the Court enforceable Settlement Agreement for the Term  
4 Thereof (Docket 35).

5 Further, Cross-Complainant City of Oakland agrees to Dismissal Without  
6 Prejudice of the Cross-Claim filed by Cross-Complainant City of Oakland against  
7 Producers Associates, and ROES 1-10, with each party to bear its own attorney's  
8 fees and costs.

9  
10 **IT IS SO STIPULATED**

11 September 3, 2019

DERBY, McGUINNESS & GOLDSMITH, LLP

12 /s/  
13 By STEVEN L. DERBY, Esq.  
14 Attorneys for Plaintiff  
SUSAN JEFFRIES

15  
16 September 3, 2019

OAKLAND CITY ATTORNEY'S OFFICE

17  
18 /s/  
19 By CHRISTINA LUM, Esq.  
Attorneys for Defendant and Cross-Complainant  
20 CITY OF OAKLAND

21 September 3, 2019

ALLEN GLAESSNER HAZELWOOD WERTH


22  
23 /s/  
24 By STEVEN D. WERTH, Esq.  
Attorneys for Cross-Defendant  
25 PRODUCERS ASSOCIATES  
26  
27  
28

1 ~~[PROPOSED]~~ ORDER

2 Upon mutual agreement of the parties, all claims against Defendants City of Oakland,  
3 Does 1-20, are dismissed with prejudice with each party to bear their own attorneys' fees, costs  
4 and litigation expenses, and all claims against Cross-Defendants Producers Associates, and Roes  
5 1-10, are dismissed without prejudice with each party to bear their own attorneys' fees, costs,  
6 and litigation expenses.

7  
8 IT IS SO ORDERED.

9  
10 Dated: September 17 2019

11   
Honorable Kandis A. Westmore  
U.S. Magistrate Judge